

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MAURICE DI AUNDRA ROGERS,  
Plaintiff,  
v.  
NEVADA COUNTY JAIL, et al.,  
Defendants.

No. 2:23-CV-2460-TLN-DMC-P

FINDINGS AND RECOMMENDATIONS

Plaintiff, a prisoner proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. Pending before the Court is Plaintiff's motion for leave to proceed in forma pauperis, ECF No. 2. Plaintiff has not submitted a declaration that makes the showing required by 28 U.S.C. § 1915(a). In his application, Plaintiff states that he has received money from "other sources" in the past 12 months, and Plaintiff identifies this source as a "lawsuit settlement." ECF No. 2, pgs. 1-2. Plaintiff's inmate trust account statement indicates Plaintiff had a balance of \$15,011.53 in his trust account as of November 1, 2023. See ECF No. 6. The Court finds that this amount is sufficient for Plaintiff to afford both the initial filing fee of \$405.00 and further litigation of this matter.

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1           Based on the foregoing, the undersigned recommends that Plaintiff's motion for  
2 leave to proceed in forma pauperis, ECF No. 2, be DENIED and that Plaintiff be required to pay  
3 the \$405.00 filing fees in full.

4           These findings and recommendations are submitted to the United States District  
5 Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within 14 days  
6 after being served with these findings and recommendations, any party may file written objections  
7 with the Court. Responses to objections shall be filed within 14 days after service of objections.  
8 Failure to file objections within the specified time may waive the right to appeal. See Martinez v.  
9 Ylst, 951 F.2d 1153 (9th Cir. 1991).

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11 Dated: December 5, 2023



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DENNIS M. COTA  
UNITED STATES MAGISTRATE JUDGE

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